



U.S.-Funded Assistance Programs in China

Thomas Lum

Specialist in Asian Affairs

April 24, 2009

Congressional Research Service

7-5700

www.crs.gov

RS22663

CRS Report for Congress

Prepared for Members and Committees of Congress

Report Documentation Page				Form Approved OMB No. 0704-0188	
Public reporting burden for the collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to a penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.					
1. REPORT DATE 24 APR 2009		2. REPORT TYPE		3. DATES COVERED 00-00-2009 to 00-00-2009	
4. TITLE AND SUBTITLE U.S.-Funded Assistance Programs in China				5a. CONTRACT NUMBER	
				5b. GRANT NUMBER	
				5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S)				5d. PROJECT NUMBER	
				5e. TASK NUMBER	
				5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Congressional Research Service, Library of Congress, 101 Independence Ave., SE, Washington, DC, 20540-7500				8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)				10. SPONSOR/MONITOR'S ACRONYM(S)	
				11. SPONSOR/MONITOR'S REPORT NUMBER(S)	
12. DISTRIBUTION/AVAILABILITY STATEMENT Approved for public release; distribution unlimited					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT Same as Report (SAR)	18. NUMBER OF PAGES 13	19a. NAME OF RESPONSIBLE PERSON
a. REPORT unclassified	b. ABSTRACT unclassified	c. THIS PAGE unclassified			

Summary

U.S. government support of rule of law and civil society programs in the People's Republic of China (PRC) constitutes a key component of its efforts to promote democratic change in China. Other related U.S. activities include participation in official bilateral dialogues on human rights, public diplomacy programs, and open criticism of PRC policies. During the past decade, U.S. assistance to China has grown in size and breadth. Funding has grown from an annual average of \$11.1 million during the 2000-2004 period, mostly for democracy assistance and aid to Tibetans, to \$31.5 million during the 2005-2008 period, which included not only democracy and Tibetan assistance but also new funding for educational exchanges and health care programs (HIV/AIDS awareness, prevention, and treatment). Between 2000 and 2008, the United States government authorized or made available roughly \$182 million for programs in China, of which \$159 million was devoted to human rights and democracy activities and to Tibetan communities.

Most U.S.-funded programs in the PRC aim to promote the rule of law and civil society in China using special allocations from the Department of State's Human Rights and Democracy Fund (HRDF). The U.S. Congress has played a leading role in initiating programs and determining funding levels for these objectives. Non-governmental organizations such as the Ford Foundation and other countries also provide substantial democracy-related assistance to the PRC.

Some experts argue that foreign-funded rule of law and civil society efforts in China have produced limited gains due to PRC political constraints. Others contend that such programs have helped to build social foundations for political change and have bolstered reform-minded officials in the PRC government. Some analysts advocate greater efforts at evaluating the effectiveness of rule of law, civil society, and democracy-related programs.

U.S. rule of law and civil society programs have created a web of relationships among governmental and non-governmental actors and educational institutions in both the United States and China. Despite growing contacts and common interests among these entities, Chinese civil society groups remain subject to PRC restrictions and occasional crackdowns on their activities. Some of these groups also have been affected by the ups and downs of the U.S.-China bilateral relationship.

Contents

Overview	1
Policy Debates	2
Program Development	3
Other Restrictions on Foreign Aid	4
FY2008-FY2009 Appropriations	5
Earthquake Relief	6
Foreign Operations Appropriations: Legislative History (1999-2007)	7
FY2000-FY2003 Appropriations	7
FY2004-FY2007 Appropriations	7
Key Actors and Programs	8
Bureau of Democracy, Human Rights, and Labor (DRL) (Department of State).....	8
Office of American Schools and Hospitals Abroad (Department of State)	8
Department of Labor	9
National Endowment for Democracy.....	9
Temple University.....	10

Figures

Figure 1. U.S. Assistance to China by Type, 2000-2008.....	5
--	---

Tables

Table 1. Selected U.S. Assistance to China, 2000-2009.....	7
--	---

Contacts

Author Contact Information	10
----------------------------------	----

Overview

U.S. government support of rule of law and civil society programs in the People's Republic of China (PRC) constitutes a key component of its efforts to promote democratic change in China. Other related U.S. activities include participation in official bilateral dialogues on human rights, public diplomacy programs, and open criticism of PRC policies. During the past decade, U.S. assistance to the China has grown in size and breadth. Funding has grown from an annual average of \$11.1 million during the 2000-2004 period, mostly for democracy assistance and aid to Tibetans, to \$31.5 million during the 2005-2008 period, which included not only democracy and Tibetan assistance but also new funding for educational exchanges and health care programs such as HIV/AIDS awareness, prevention, and treatment.

Compared to U.S. assistance missions in most other Asian countries, which focus largely upon development (health, education, economic growth), counterterrorism, and good governance objectives, U.S.-supported aid activities in China do not play roles in the areas of economic development and international security. Most U.S.-funded programs in the PRC aim to promote political development and civil society using special allocations from the Department of State's Human Rights and Democracy Fund (HRDF). Other appropriations provide for helping to protect Tibetan culture and promote sustainable development and the environment in Tibetan areas of China.

The U.S. Congress plays a greater role in determining aid levels for China than it does for most other countries. The U.S. Agency for International Development (USAID) does not have an official presence or mission in the PRC, due in part to the PRC government's reported human rights abuses. Foreign assistance appropriations for China have been administered chiefly by the Department of State's Bureau of Democracy, Human Rights and Labor (DRL), which follows Congress' authorizations in annual foreign operations appropriations measures. By contrast, most countries with USAID missions receive assistance through the Department of State's regional bureaus, which make annual requests that are approved by Congress.

Despite its growth, U.S. assistance to China remains relatively limited. Between 2000 and 2008, the United States government authorized or made available roughly \$182 million for programs in China, of which \$159 million was devoted to human rights and democracy activities and to Tibet. In FY2008, funding for U.S. assistance programs in China represented about 6.5% of total U.S. foreign aid to East Asia. The top recipients of U.S. assistance in East Asia in 2008 were Indonesia, the Philippines, and Vietnam, which received an estimated \$189 million, \$119 million, and \$102 million, respectively.¹ After 2001, Indonesia and the Philippines received large increases in U.S. annual assistance as front-line states in the Bush Administration's war on terror. The bulk of U.S. assistance to Vietnam is HIV/AIDS program support. See **Figure 1** and **Table 1**.

According to the Organization for Economic Cooperation and Development (OECD), China's top aid donors are Japan, Germany, and France, which provided \$1.2 billion, \$454 million, and \$196 million, respectively, on an annual average basis in 2006-2007.² However, some major aid

¹ For information on U.S. assistance to Asia, see CRS Report RL31362, *U.S. Foreign Aid to East and South Asia: Selected Recipients*, by Thomas Lum.

² OECD <http://www.oecd.org/dataoecd/1/21/1880034.gif>.

donors, such as Japan and Germany, provide a large share of their foreign assistance in the form of loans rather than grants.³ Some policy makers in these countries have advocated reducing their development aid to China, due largely to China's rise as an economic power.

European Union aid efforts in the PRC, particularly in the area of legal development, reportedly exceed those of the United States in terms of funding and place greater emphasis on commercially-oriented rule of law. According to the European Commission, EU assistance to China has moved away from the areas of infrastructure and rural development and towards support for social and economic reform, the environment and sustainable development, and good governance and the rule of law. The EU funded aid projects and programs worth €181 million (\$235 million) in 2002-2006.⁴ For the 2007-2013 period, the EU plans to allocate €10 million (\$13 million) for democracy and human rights programs and non-governmental organizations (NGOs).⁵ The European Union also has set up a joint law school administered through the University of Hamburg and located in the China University of Politics and Law in Beijing.

In other comparative terms, the Ford Foundation, which does not receive U.S. government support, offered grants worth \$220 million for programs in China during 1988-2006. The Foundation extended grants totaling \$19.6 million, \$16.8 million, and \$17.9 million in 2006, 2007, and 2008, respectively. Most Ford Foundation funding in China has supported governance, democracy, and civil society programs, followed by health, education and cultural activities and economic development and environmental projects.⁶

Policy Debates

As with many efforts to help reform China's political system and conduct from without, there has been little evidence of fundamental change. Some experts argue that foreign-funded rule of law and civil society efforts in China have produced limited benefits due to PRC government political constraints, including the lack of judicial autonomy, restrictions on lawyers, weak enforcement of laws, and severe curbs on the ability of Chinese citizens to organize and perform social functions independently of state control. They suggest that the limited influence of China's judicial, legal, and civil institutions, organizations, and actors precludes their value as real agents for democracy. Some human rights activists advocate more rigorous methods of evaluating the effectiveness of democracy programs in China.⁷

Other analysts contend that foreign-funded democracy, rule of law, and civil society programs in the PRC have helped to build foundations for political change—more comprehensive laws, more professional judicial and legal personnel, more cosmopolitan and assertive non-governmental organizations, and a cadre of rights activists—and have bolstered reform-minded officials in the PRC government. Many foreign and Chinese observers note that awareness of legal rights in

³ Approximately 90% of Japanese ODA to China has come in the form of loans, according to some sources. See The Ministry of Foreign Affairs of Japan, "Overview of Official Development Assistance to China" http://www.mofa.go.jp/policy/oda/region/e_asia/china/index.html. German aid to the PRC reportedly also has included a substantial loan component. See "As China Booms, Germany Politicians Question Continuing Aid," *Deutsch Welle*, July 27, 2007.

⁴ European Commission: External Cooperation Programs http://ec.europa.eu/europeaid/where/asia/country-cooperation/china/china_en.htm.

⁵ European Union, China: Country Strategy Paper 2007-13 (Draft).

⁶ Fiscal Year to Date <http://www.fordfound.org/grants>.

⁷ "Funding the Rule of Law and Civil Society," *China Rights Forum*, no. 3 (2003).

many areas of PRC society is growing.⁸ Some experts add that policies that support incremental rather than fundamental change have the best chance of succeeding in the long run, through increasing “the capacity of reform-oriented individuals in China to be effective in their own work,” including those within the government and without.⁹

PRC civil society groups and NGOs, key targets of U.S.-funded democracy programs, have raised concerns among China’s leadership about their growing influence and foreign contacts. Many of them reportedly have experienced a tightening regulatory environment in recent years.¹⁰ Some experts argue that to be more effective, U.S.-supported civil society programs in China should be insulated as far as possible from U.S. government involvement and the vagaries of U.S.-China bilateral relations.¹¹

Program Development

United States foreign assistance to the PRC primarily has supported rule of law, civil society, and democracy-related programs and assistance to Tibetan communities since 2000. Since 1999, Congress has played a leading role in funding these programs through annual foreign operations appropriations measures. The U.S. Agency for International Development (USAID) does not have an official presence or mission in the PRC, due in part to the Chinese government’s reported human rights abuses. U.S. laws that can be invoked to deny foreign assistance on human rights grounds include Sections 116 and 502B of the Foreign Assistance Act of 1961 (P.L. 87-195). In addition to democracy and Tibet-related aid, American Schools and Hospitals Abroad (ASHA) has provided support for university and hospital projects in China since 1997, while the Peace Corps has been involved in teaching English language and topics such as environmental awareness in the PRC since 1993.

In 1997, President Bill Clinton and PRC President Jiang Zemin agreed upon a U.S.-China Rule of Law Initiative, although U.S. funding for the program was not provided until 2002. In 1999, Congress began authorizing assistance (to non-governmental organizations located outside China) for the purpose of fostering democracy in the PRC (P.L. 105-277). In 2000, the act granting permanent normal trade relations (PNTR) treatment to China (P.L. 106-286) authorized programs to promote the rule of law and civil society in China. The FY2002 appropriations measure (P.L. 107-115) removed China from a list of countries prohibited from receiving U.S. indirect foreign assistance and lifted the requirement that Economic Support Funds (ESF) for democracy programs be provided only to NGOs located outside the PRC. The FY2003 appropriations measure (P.L. 108-7) continued the requirement that Tibet assistance be granted to NGOs but lifted the stipulation that they be located outside China.

Major recipients of U.S. grants for China programs have included Temple University (rule of law), the International Republican Institute (village elections), the Asia Foundation (civil society), and the Bridge Fund (Tibet). The National Endowment for Democracy (NED) has played a major role in promoting democracy in China through congressional appropriations. U.S. universities

⁸ Jamie P. Horsley, “The Rule of Law in China: Incremental Progress,” *The China Balance Sheet in 2007 and Beyond*, Center for Strategic and International Studies, May 2007.

⁹ Paul Gewirtz, “The U.S. China Rule of Law Initiative,” *William & Mary Bill of Rights Journal*, Vol. 11 (2003).

¹⁰ Paul Mooney, “How to Deal with NGOs—Part 1, China,” *YaleGlobal Online*, August 1, 2006.

¹¹ Gewirtz, op. cit.

involved in educational exchanges have included the University of Massachusetts (judiciary reform), the University of the Pacific McGeorge School of Law and American University Washington College of Law (rule of law), Vermont Law School (environmental law), and Western Kentucky University (environmental protection). Implementing partners for Tibet programs have included the Bridge Fund, the Mountain Institute, and Winrock International.

The Department of State's East Asia and the Pacific (EAP) Bureau and Bureau of Democracy, Human Rights and Labor (DRL) have administered China programs primarily through the Human Rights and Democracy Fund (ESF account). Funding has been channeled largely to U.S.-based non-governmental organizations operating in China, which in turn have provided some support to Chinese NGOs. The East Asia Regional Democracy Fund and HRDF global fund also have provided some ESF for rule of law and Tibet programs. Since 2006, Congress has appropriated Development Assistance (DA) to American educational institutions for exchange programs related to democracy, rule of law, and the environment in China. In 2007, the U.S. government began funding HIV/AIDS programs in China using Child Survival and Health (CSH) account funds.

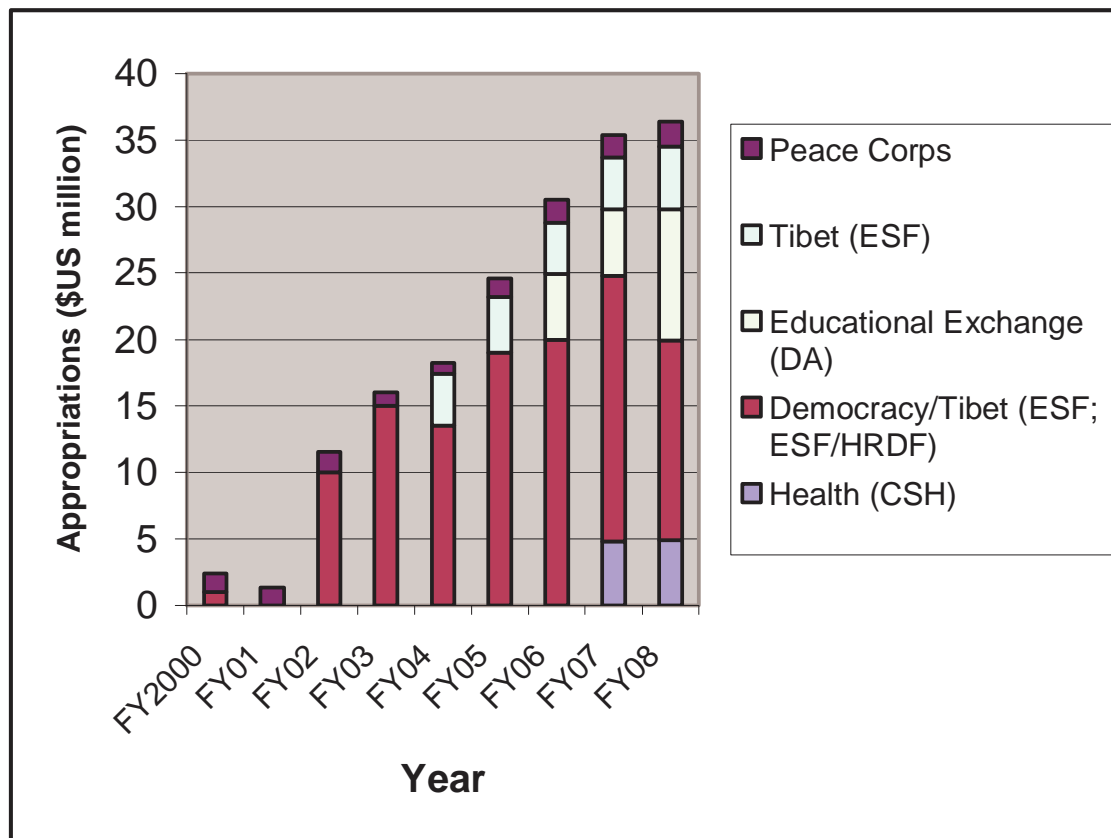
Other Restrictions on Foreign Aid

Many U.S. sanctions on the PRC in response to the Tiananmen military crackdown in 1989 remain in effect, including some foreign aid-related restrictions, such as required "no" votes or abstentions by U.S. representatives to international financial institutions regarding loans to China (except those that meet basic human needs).¹² Congress also has required that U.S. representatives to international financial institutions support projects in Tibet only if they do not encourage the migration and settlement of non-Tibetans (majority Han Chinese) into Tibet or the transfer of Tibetan-owned properties to non-Tibetans, which some fear may erode Tibetan culture and identity.

The U.S. government suspended funding for the United Nations Population Fund (UNFPA) from 2002 through 2008 because of the UNFPA's programs in China, where the State Department determined that coercive family planning practices had occurred. In February 2009, the Obama Administration announced that it would restore U.S. funding for the UNFPA. The Omnibus Appropriations Act, FY2009 (P.L. 111-8), allocated \$50 million for the UNFPA. However, none of these funds may be used for a country program in China.¹³

¹² Pursuant to Section 902 of the Foreign Relations Authorization Act of 1990-91 and Section 710(a) of the International Financial Institutions Act. For further information, see CRS Report RL31910, *China: Economic Sanctions*, by Dianne E. Rennack.

¹³ The "Kemp-Kasten" amendment to the FY1985 Supplemental Appropriations Act (P.L. 99-88) bans U.S. assistance to organizations that support or participate in the management of coercive family planning programs. For further information, see CRS Report RL32703, *The U.N. Population Fund: Background and the U.S. Funding Debate*, by Luisa Blanchfield.

Figure 1. U.S. Assistance to China by Type, 2000-2008

Source: U.S. Department of State

Notes: FY2000-2003 democracy assistance for China included funding for Tibet; For FY2004-08, Tibet programs received special earmarked funds.

FY2008-FY2009 Appropriations

For FY2009, the State Department requested a total of \$7 million for China with the objective of enhancing China's capacity to "engage cooperatively, constructively, and transparently with international, regional, and U.S. institutions."¹⁴ Major program areas include rule of law, civil society, global health, environmental issues, and Tibet. The largest funding stream in the Administration's request was for HIV/AIDS prevention and treatment programs (CSH account). ESF was requested to support U.S.-China educational exchanges and NGO work in the areas of rule of law and good governance as well as cultural preservation, sustainable development, healthcare, and education in Tibetan communities. The State Department also funds a Department of Justice Rule of Law advisor on topics such as anti-money-laundering and intellectual property rights (INCLE account).

¹⁴ Congressional Budget Justification for Foreign Operations, FY2009.

The Omnibus Appropriations Act, FY2009 (P.L. 111-8) appropriated \$17 million out of the HRDF for the promotion of democracy in China.¹⁵ The measure authorized \$7.3 million in ESF for NGOs to support activities that preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and other areas of China. The act also included an appropriation of \$250,000 for NED programs in Tibet. In addition, \$11 million in Development Assistance account funding is to be made available to American educational institutions and NGOs for programs and activities in the PRC related to democracy, rule of law, and the environment.

For FY2008, the Bush Administration requested a total of \$9.2 million for China, primarily CSH account funds for HIV/AIDS programs (\$7.2 million).¹⁶ Economic Support Funds (\$2 million) were requested to support judicial independence, rule of law programs, and the role of NGOs in Chinese society. Tibetan program areas included job skills training, public health efforts, education, and environmental conservation. The Consolidated Appropriations Act, FY2008 (P.L. 110-161) provided \$15 million for democracy and rule of law programs in the PRC. The FY2008 appropriations measure also mandated \$5 million from the ESF account for activities that preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in China, and \$250,000 to NED for human rights and democracy programs related to Tibet. In addition, \$10 million in Development Assistance was appropriated to American educational institutions and NGOs for programs and activities in the PRC related to democracy, rule of law, and the environment.

Earthquake Relief

In July 2008, the U.S. government (USAID and the Department of Defense) provided a total of \$4.8 million in humanitarian relief to areas and victims affected by the May 2008 earthquake in Sichuan province that killed nearly 70,000 people. USAID's Office of U.S. Foreign Disaster Assistance (OFDA) awarded \$1.2 million to the Asia Foundation to promote rural housing reconstruction and raise public awareness about natural disasters. Other funding went to the International Federation of the Red Cross and Red Crescent Societies (IFRC) for relief supplies to the Los Angeles County and Fairfax County Fire Departments for related support. The Department of Defense provided \$2.2 million for tents and emergency relief supplies.¹⁷

¹⁵ Also includes Hong Kong and Taiwan (if matching funds are made available). The bulk of the funding is expected to go to China. Since 2004, annual congressional authorizations for democracy funds to China have included Hong Kong and Taiwan. Hong Kong has received assistance for strengthening political parties (\$840,000 in FY2006). Taiwan has not offered required matching funds for legal and political reform programs and hence has not received democracy grants. Taiwan has received U.S. assistance (an estimated \$635,000 in FY2008) for developing its export control system and combat trafficking in persons. In 2008, Taiwan "graduated" from its need for trafficking assistance.

¹⁶ Congressional Budget Justification for Foreign Operations, FY2008.

¹⁷ Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA), Office of U.S. Foreign Disaster Assistance, *China – Earthquake*, Fact Sheet #6, FY2008, August 8, 2008.

Table I. Selected U.S. Assistance to China, 2000-2009

(thousand dollars)

Account (program)	FY00	FY01 ^a	FY02	FY03	FY04	FY05	FY06	FY07	FY08 est.	FY09 req.
CSH (HIV/AIDS)								4,800	4,960	5,000
GHAJ								1,950		
DA (educational exchange)							4,950	5,000	9,919	11,000
ESF (democracy/Tibet)										1,400
ESF (HRDF— democracy) ^b	1,000		10,000	15,000	13,500	19,000	20,000	20,000	15,000	17,000
ESF (Tibet)					3,976	4,216	3,960	3,960	4,712	7,300
INCLE ^c										600
Peace Corps (English language)	1,435	1,298	1,559	977	863	1,476	1,683	1,748	1,980	2,057
Totals	1,435	1,298	1,559	977	863	1,476	1,683	1,748	1,980	39,357

Sources: U.S. Department of State Congressional budget justifications for foreign operations; Congressional foreign operations appropriations legislation.

- a. In FY2001, \$28 million was appropriated in order to provide compensation to China for the accidental NATO bombing of the PRC Embassy in Belgrade.
- b. Congressional appropriations – not specified in State Department annual budget requests for China.
- c. Technical assistance for combating money laundering and enforcing intellectual property rights.

Foreign Operations Appropriations: Legislative History (1999-2007)

FY2000-FY2003 Appropriations

The Consolidated Appropriations Act for FY2000 (P.L. 106-113) provided \$1 million for U.S.-based NGOs (to preserve cultural traditions and promote sustainable development and environmental conservation) in Tibet as well as \$1 million to support research about China, and authorized ESF for NGOs to promote democracy in the PRC. For FY2001 (P.L. 106-429), Congress authorized up to \$2 million for Tibet. In FY2002 (P.L. 107-115), Congress made available \$10 million for assistance for activities to support democracy, human rights, and the rule of law in China, including up to \$3 million for Tibet. The FY2003 appropriations measure (P.L. 108-7), provided \$15 million for democracy-related programs in China, including up to \$3 million for Tibet and \$3 million for the National Endowment for Democracy (NED).

FY2004-FY2007 Appropriations

In 2004, the Bureau of Democracy, Human Rights and Labor became the principal administrator of China democracy programs. The FY2004 Consolidated Appropriations Act (P.L. 108-199)

made available \$13.5 million for China, Hong Kong, and Taiwan, including \$3 million for NED. Appropriations for FY2004 provided a special earmark for Tibet (\$4 million). In FY2005 (P.L. 108-447), Congress provided \$19 million for China, including \$4 million for NED, and authorized \$4 million for Tibet and \$250,000 for NED in Tibet. In addition, the FY2005 appropriations measure authorized the use of Development Assistance for American universities to conduct U.S.-China educational exchange programs related to democracy, rule of law, and the environment. The conference agreement (H.Rept. 109-265) on the FY2006 foreign operations appropriations bill (H.R. 3057, signed into law as P.L. 109-102) extended \$20 million for China. For Tibet, P.L. 109-102 authorized \$4 million for Tibet and Tibetan communities in China and \$250,000 to NED in Tibet. The FY2006 appropriations measure also provided \$5 million in Development Assistance to American educational institutions for legal and environmental programs in the PRC. Because of the late enactment of the Continuing Appropriations Resolution for FY2007 (P.L. 110-5), funding levels for many U.S. foreign aid programs for the year were not specified but continued at or near FY2006 levels.

Key Actors and Programs

Bureau of Democracy, Human Rights, and Labor (DRL) (Department of State)

The Bureau's mission is to lead U.S. efforts to "promote democracy¹⁸, protect human rights¹⁹ and international religious freedom²⁰, and advance labor rights²¹ globally." In the past decade, Congress has supported increased funding for DRL's Democracy Fund. Appropriations for the HRDF grew from \$13 million in FY2001 to an estimated \$74 million in FY2009. China programs account for roughly one quarter of allocations from the Democracy Fund. Most DRL grants to China go to U.S.-based NGOs and educational institutions, while some sub-grants go to PRC "partner NGOs."²²

Office of American Schools and Hospitals Abroad (Department of State)

The Office of American Schools and Hospitals Abroad (ASHA) of the Department of State's Bureau for Democracy, Conflict, and Humanitarian Assistance provides grants to private and non-profit educational and medical institutions in foreign countries. The purposes of such assistance include fostering mutual understanding, introducing foreign countries to U.S. ideas and practices in education and medicine, and promoting civil societies. Since 1997, ASHA has supported programs in China, including helping to establish the Center for American Studies at Fudan University in Shanghai, supporting the Hopkins-Nanjing Center for Chinese and American

¹⁸ See <http://www.state.gov/g/drl/democ/>.

¹⁹ See <http://www.state.gov/g/drl/hr/>.

²⁰ See <http://www.state.gov/g/drl/irf/>.

²¹ See <http://www.state.gov/g/drl/lbr/>.

²² U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, *HRDF Projects, 1998-Present*. Because of political sensitivities, DRL does not disclose the names of its grant recipients.

Studies in Nanjing, and providing a grant to Project Hope for its efforts at the Shanghai Children's Medical Center.

Department of Labor

The measure granting permanent normal trade relations (PNTR) status to China (P.L. 106-286) authorized the Department of Labor to establish a program to promote worker rights and related rule of law training. In 2002, the Bush Administration released two grants totaling \$6.4 million for labor programs in China. A grant of \$4.1 million was awarded to a consortium of Worldwide Strategies, Inc., the Asia Foundation, and the National Committee on United States-China Relations to conduct education, training, and technical assistance to help improve labor laws and to promote greater awareness of labor laws among workers and employers as well as to provide legal aid services to women and migrant workers. The Department of Labor also awarded a \$2.3 million grant to the National Safety Council to help improve mine safety and health conditions in China.

National Endowment for Democracy

The National Endowment for Democracy (NED) is a private, non-profit organization that promotes democracy around the world. NED supports Chinese pro-democracy organizations in the United States and Hong Kong, helps to advance the rule of law, promote the rights of workers and women, and strengthen village elections in China, and assists in the development of Tibetan communities. The United States government established NED in 1983 and provides most of its funding. The Endowment's China programs have received grants through three channels: the annual foreign operations appropriation for NED (an estimated \$99 million in FY2008), out of which approximately \$2 million has been devoted to China programs each year since 1999; annual congressional earmarks for democracy-related programs in the PRC and Tibet;²³ and DRL grants to NED's "core institutes."²⁴ During the FY1999-FY2003 period, about 38% of U.S. government funding for democracy-related programs in China was allocated through the Endowment.²⁵ NED began awarding grants to U.S.-based organizations supporting democracy in China in the mid-1980s and supporting significant in-country programs in the 1990s.²⁶ Compared to the U.S. government, NED's non-governmental status affords it greater ease and flexibility with which to support relatively overt democratic groups.

²³ Congress has appropriated annual earmarks to NED out of the Democracy Fund for human rights and democracy programs in China between 2001 and 2007 (\$2.9 million FY2007) and in Tibet since 2004 (an estimated \$250,000 in FY2009).

²⁴ NED's core institutes or grantees are: the International Republican Institute (IRI); the American Center for International Labor Solidarity (ACILS); the Center for International Private Enterprise (CIPE); and the National Democratic Institute for International Affairs (NDI).

²⁵ General Accounting Office, "Foreign Assistance: U.S. Funding for Democracy-Related Programs," February 2004.

²⁶ Eric T. Hale, "A Quantitative and Qualitative Evaluation of the National Endowment for Democracy, 1990-1999" (Ph.D. dissertation, Louisiana State University, 2003), pp. 173-4. For a listing of NED China projects, see National Endowment for Democracy, *Grants—Asia Programs* <http://www.ned.org/grants/07programs/grants-asia07.html#china>.

Temple University

In 1999, Temple University established the first foreign Master of Laws degree program in China. The LLM program, conducted in collaboration with Tsinghua University School of Law in Beijing, educates Chinese judges, prosecutors, government officials, law professors, and lawyers in U.S. and international legal principles. The State Department and USAID have provided roughly \$12 million for Temple's activities in China, which also include non-degree legal education, scholarly research, and curriculum development.²⁷ The program has educated nearly 800 Chinese legal professionals, the majority of which (78%) work in the public sector. "Graduates report that they are drawing on their Temple legal education as they write judicial decisions, apply rules of evidence in trial practice, draft laws for national and regional legislative bodies, and infuse their scholarship with principles of U.S. law."²⁸

Acronyms

USAID: United States Agency for International Development
 HRDF: Human Rights and Democracy Fund (Democracy Fund)
 DRL: Bureau of Democracy, Human Rights and Labor
 NGO: Non-governmental Organization
 NED: National Endowment for Democracy
 CSH: Child Survival and Health
 DA: Development Assistance
 ESF: Economic Support Fund
 GHAI: Global HIV/AIDS Initiative
 INCLE: International Narcotics Control and Law Enforcement

Author Contact Information

Thomas Lum
 Specialist in Asian Affairs
 tlum@crs.loc.gov, 7-7616

²⁷ DRL has supported several U.S. universities conducting rule of law programs in China. According to a database compiled by the National Committee on United States-China Relations earlier this decade, approximately 150 U.S. law schools conduct programs in China, mostly offering courses and short-term programs for American students to study PRC law; about one dozen U.S. law schools have developed exchange programs.

²⁸ Temple University Beasley School of Law, *Rule of Law Projects in China: 2007-08 Annual Report*; Adelaide Ferguson, "Temple's Rule of Law Programs in China," Temple University Beasley School of Law, March 2006.